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LETTER DATED 1 JULY 1994 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a letter of today's date from the Deputy Prime Minister for Humanitarian Affairs, Mr. Ivica Kostovic, addressed to you.

I would be grateful for your kind assistance in distributing the present letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

Annex

Letter dated 1 July 1994 from the Deputy Prime Minister for Humanitarian Affairs of the Republic of Croatia addressed to the President of the Security Council

The Government of the Republic of Croatia has carefully examined the final report of the Commission of Experts Established Pursuant to Security Council resolution 780 (1992), which was attached as an annex to the letter dated 24 May 1994 from the Secretary-General to the President of the Security Council (S/1994/674).

The Croatian Government wishes to take this opportunity to commend the tireless efforts of the Commission of Experts in the gathering of evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia after 1991. It is the firm belief of the Croatian Government that no lasting peace in the region of the former Yugoslavia can be achieved if those who have committed acts of genocide and other war crimes go unpunished.

In that regard, my Government wishes to express its intention to continue to cooperate fully with any investigation of war crimes committed in the territory of the Republic of Croatia. Presently, the Croatian Government is limited in what it can do in those territories of the Republic of Croatia which are under Serbian occupation.

At the same time, however, my Government is concerned at the lack of cooperation in the investigation of war crimes demonstrated by the Government of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" and its proxies in the occupied territories of the Republic of Croatia and the Republic of Bosnia and Herzegovina.

A particular case in point is the investigation of the mass grave site at Ovcara, Croatia. This grave holds the remains of over 200 Vukovar Hospital patients who were summarily executed by the Yugoslav People's Army and local Serbian proxies on 20 November 1991. The aforementioned report of the Commission of Experts clearly describes the obstruction by the Serbian occupation authorities in the investigation of this site by said Commission. I wish to point out that I wrote a letter dated 31 March 1994 (S/1992/371) to the President of the Security Council, in which I expressed the view of the Croatian Government that the investigation of the grave site should be carried out even after the termination of the work of the Commission of Experts. Owing to the insistence of the Serbian occupation authorities not to allow post-mortems to be performed in the territory of the Republic of Croatia, the identity of the bodies, as well as the cause of death, could not be established.

I wish to stress that the case of Ovcara is also a humanitarian question because many mothers and other relatives of missing persons from Vukovar are anxiously waiting to hear about the fate of their loved ones. An investigation of the grave site would no doubt lead to findings which would give answers to at least some of these families.

On the basis of the above facts, which were mentioned in the report of the Commission, it is my sincere concern that the obstruction and lack of cooperation by the Serb occupation authorities could lead to a situation in which individuals who have perpetrated acts of genocide and mass murder are not brought to trial.

In that regard, the Croatian Government hopes that the international community will not abandon its commitment to carry out effectively the work of the International War Crimes Tribunal.

On behalf of the Government of the Republic of Croatia, I implore all competent authorities to undertake appropriate measures to ensure that those who have committed grave crimes against humanity in the territory of the former Yugoslavia are brought to trial. I also reiterate my Government's position that the investigation of the mass grave site at Ovcara should be carried out without delay.

(Signed) Ivica KOSTOVIC
Deputy Prime Minister
for Humanitarian Affairs